NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

NEVADA ENVIRONMENTAL COMMISSION

HEARING ARCHIVE

FOR THE HEARING OF December 20, 2001

HELD AT: Reno, Nevada

TYPE OF HEARING:

REGULATORY

YES APPEAL (Great Basin Mine Watch)

FIELD TRIP

ENFORCEMENT

VARIANCE

RECORDS CONTAINED IN THIS FILE INCLUDE:

YES AGENDA

YES PUBLIC NOTICE

MINUTES OF THE HEARING

LISTING OF EXHIBITS

AGENDA

NEVADA STATE ENVIRONMENTAL COMMISSION PUBLIC HEARING

As provided by Nevada Revised Statutes (NRS) Chapter 233B and Nevada Administrative Code (NAC), inclusive, a panel of the Nevada State Environmental Commission will conduct an appeal hearing on **Thursday, December 20, 2001 beginning at 9:30 a.m.**, Division of Wildlife, 1100 Valley Road, Room B, Reno, Nevada.

This agenda has been posted at the Grant Sawyer State Office Building in Las Vegas, the Washoe County Library and the Division of Wildlife in Reno, the Department of Cultural Affairs (Division of Library and Archives), and the Division of Environmental Protection Offices in Carson City, Nevada.

The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

I. Appeal Hearing - * ACTION

Great Basin Mine Watch, Tom Myers, Executive Director, P.O. Box 10262, Reno, Nevada 89510 and the Reno-Sparks Indian Colony, Arlan Melendez, Chairman, 98 Colony Road, Reno, Nevada 89502 appeals the decision of November 6, 2001 by the Nevada Division of Environmental Protection regarding the mining reclamation permit No. 203 for Oil-Dri Corporation of Nevada.

The Nevada Division of Environmental Protection, Bureau of Mining Regulation and Reclamation, on November 6, 2001 issued mining reclamation permit No. 203 for the Oil-Dri Corporation of Nevada. The permit authorizes Oil-Dri Corporation of Nevada to reclaim the Moore Mines, Oil-Dri Reno Clay Plant. This project is located in Washoe County, Nevada. The Division asserts that the application was received and issued in accordance with Nevada Revised Statute (NRS) 519A.010 through 519A.240, and 519A.260 through 519A.280 and Nevada Administrative Code (NAC) 519A.010 through 519A.415. The Division asserts that the permit will leave the Oil-Dri Reno Clay Plant and Moore Mines site safe, stable, and capable of providing for productive post-mining land use.

II. General Commission or Public Comment

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of David Cowperthwaite, Executive Secretary, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851; by facsimile to (775) 687-5856; or by calling (775) 687-4670 extension 3118 no later than 5:00 p.m., December 14, 2001.

NEVADA STATE ENVIRONMENTAL COMMISSION NOTICE OF APPEAL HEARING

A three-member panel of the Nevada State Environmental Commission will conduct an appeal hearing in the matter of:

Great Basin Mine Watch, Tom Myers, Executive Director, P.O. Box 10262, Reno, Nevada 89510 and the Reno-Sparks Indian Colony, Arlan Melendez, Chairman, 98 Colony Road, Reno, Nevada 89502 appeals the decision of November 6, 2001 by the Nevada Division of Environmental Protection regarding the mining reclamation permit No. 203 for Oil-Dri Corporation of Nevada.

The Nevada Division of Environmental Protection, Bureau of Mining Regulation and Reclamation, on November 6, 2001 issued mining reclamation permit No. 203 for the Oil-Dri Corporation of Nevada. The permit authorizes Oil-Dri Corporation of Nevada to reclaim the Moore Mines, Oil-Dri Reno Clay Plant. This project is located in Washoe County, Nevada. The Division asserts that the application was received and issued in accordance with Nevada Revised Statute (NRS) 519A.010 through 519A.240, and 519A.260 through 519A.280 and Nevada Administrative Code (NAC) 519A.010 through 519A.415. The Division asserts that the permit will leave the Oil-Dri Reno Clay Plant and Moore Mines site safe, stable, and capable of providing for productive post-mining land use.

The appellant Great Basin Mine Watch alleges that mining reclamation permit No. 203 has inadequate reclamation requirements and bonding calculations. The Great Basin Mine Watch further alleges that the calculations in the permit are based upon inadequate disturbance areas and earthworks. The Great Basin Mine Watch alleges that the bond has not been determined by the Division of Environmental Protection, and that it has not incorporated the reasons for reclamation plans that have failed in the area. The Great Basin Mine Watch cited NAC 519A.120 through 519A.345 and 519A.350 through 519A.390.

The appellant Reno-Sparks Indian Colony alleges that the Division failed to structure the surety to compensate for changes in the reclamation plan. The Reno-Sparks Indian Colony further asserts that the Division failed to provide in detail within the context of the reclamation permit No. 203 public input processes and requirements to address public concerns, thereby making those provisions useless. The Reno-Sparks Indian Colony alleges that the Division is passing its duty to Washoe County. The Reno-Sparks Indian Colony referenced NAC 519A.075 and NRS 519A.010 through 519A.280 and NAC 519A.010 through 519A.415.

The hearing will be held: Thursday - December 20, 2001

9:30 a.m.

1100 Valley Road, Room B Nevada Division of Wildlife

Reno, Nevada

State Environmental Commission Appeal Public Notice of December 20, 2001 - Page 2

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of David Cowperthwaite, Executive Secretary, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851; by facsimile to (775) 687-5856; or by calling (775) 687-4670 extension 3118 no later than 5:00 p.m., December 14, 2001.

This notice is issued pursuant to Nevada Revised Statutes (NRS) Chapter 233B. The hearing will be held in accordance with Nevada Administrative Code, (NAC) 445B.875 to 445B.897, inclusive.

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